

642

SC

FILE NO.

15

642

Number of Responses
(See Note 1)

	<u>Yes</u>	<u>No</u>	<u>No Responses</u>
12. Are you aware of any discriminatory practices involving licensing or investigations of the Board?	0	8	4
13. Any additional comments:			
<i>Responses included in the report where appropriate.</i>			

Note 1

Number of unlicensed applicants sent questionnaires.

25

Number of responses.

12

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D
JUNEAU, ALASKA 99811

August 29, 1979

Mr. Gerald Wilkerson, CPA
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

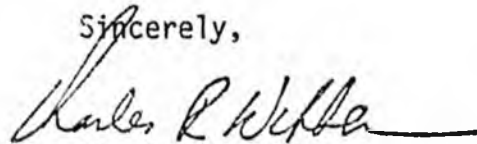
Dear Mr. Wilkerson:

The following comments are in response to your preliminary report entitled "A Performance Review of the Board of Electrical Examiners" as of May 2, 1979.

While we are in general agreement with your findings and are endeavoring to implement your recommendations No. 1 through 9 viable alternatives thereto, we nevertheless reserve the right to make additional findings and conclusions which may affect the continued existence of this board.

A full presentation of your report, interim responses and subsequent evaluations of data by board members and others will be presented at the "Sunset" hearings.

Sincerely,



Charles R. Webber
Commissioner

CRW/kkk3/5

Testimony received



Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

PLEASE REPLY TO:

1016 West Sixth Avenue, Suite 201
Anchorage, AK 99501

Telephone: 278-1581/278-1582

November 13, 1979

Michael L. Frith
8421 Little Dipper
Anchorage, AK 99504

Dear Mr. Frith:

Thank you for your testimony regarding the Board of Electrical Examiners, which you gave before the Senate Commerce Committee on November 7, 1979.

Due to mechanical problems with the teleconference recording system, we were unable to record your testimony for the Committee's records. The system had been checked out prior to starting the hearings and was in operating condition but when the tapes were checked prior to the afternoon session, it was discovered that only a loud hum had been recorded. If possible, therefore, the Committee would appreciate it if you could submit either a copy of your testimony, if you were speaking from prepared text, or a summation of your views regarding this matter in order that your feelings might be made a part of the Committee's record.

We apologize for any inconvenience and we look forward to receiving your written testimony and/or exhibits concerning the Board of Electrical Examiners. We would like to receive this testimony as soon as possible and should we be able to assist you, please do not hesitate to contact our offices.

Sincerely,

Handwritten signature of Christian Basler in cursive.

Christian Basler
Administrative Assistant
Senate Commerce Committee

H. D. WILSON
1317 HYDER
ANCHORAGE, ALASKA 99501
907/337-2112

June 30, 1977

TO WHOM IT MAY CONCERN:

This personal affidavit is true to the best of my knowledge and is presented as a true vesture of my capabilities warranting a working Administrators Contractors Licenses for inside and outside electrical wiring and communication work.

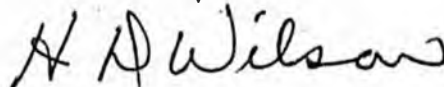
My knowledge and experience in the field total thrity-two years . Working in conjunction with and under the supervision of Merideth E. Young, Contractor in Chicago, Illinois, I have completed basic training, graduating in the field of electricity, majoring in all phases of commercial, industrial and residential wiring.

While employed by New York Shipbuilding Company of Camden, New Jersey and Sunship Building Dry dock of Chester, Pennsylvania, I performed both inside and outside wiring. Such work included generators, motors, transformers, panels, circuits, wiring, testing, and radar signaling, installing and testing. At the same time, I operated my own business, H.D. Wilson Electric.

In 1968, new Pennsylvania legislation required licensing of electrical contractors. At that time, I obtained an electrical contractors license which I have held until moving to Alaska in late 1976. H.D. Wilson Electric has operated for a total of 27 years. We have completed contracts for the City of Philadelphia Water Department, Park District, Recreation Department, School District and the Phildelphia Naval Yard, as well as numerous other contracts. A summary of contract abstracts is attached for your review and consideration.

If there is any additional information you desire, I would be most happy to provide it.

Sincerely,



H. D. Wilson

H. D. WILSON

1317 HYDER

ANCHORAGE, ALASKA 99501

907/337-2118

May 12, 1977

The Honorable Mike Gravel
United States Senate
Washington, D. C. 20510

Dear Senator Gravel:

This letter comes to your attention to apprise you of a situation I am now confronted with which leads to my frustration, and represents a challenge to my livelihood.

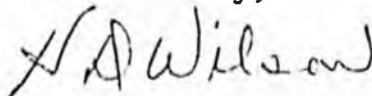
The problem I am confronted with is that I am a licensed, bonded and certified Electrical Contractor, licensed in the State of Pennsylvania. I have been providing professional services in that field for over 30 years. I am now residing in the State of Alaska, and find it impossible to practice my profession because Alaska has no reciprocity in this field with the State of Pennsylvania, and because of this, I am forced to take an examination for said license.

Should I successfully satisfy the examination requirements, I would be one of a few minorities, and more specifically, one of three Blacks, who have done so in the State of Alaska. However, at this point in my life, this examination poses what I feel is an unnecessary hardship. Therefore, I would want you to intercede.

Under Section 08.40.160 of the Alaska Statutes Waiver of Examination, I feel I am qualified for a waiver of examination because of the above. Please advise me of efforts your office can make to improve opportunities for minority business participation.

I look forward to your reply.

Sincerely,



H. D. Wilson

cc: Glen Campbell
State EEO Officer

Alaska Minority Business Assistance Center

United States Senate

WASHINGTON, D.C. 20510

June 6, 1977

Mr. H. D. Wilson
1317 Hyder
Anchorage, Alaska 99501

Dear Mr. Wilson:

Thank you for your letter asking for assistance in regard to the practice of your profession in the State of Alaska.

Since licensing is a state matter, I have referred your letter to the Commissioner of the Department of Labor. Enclosed you will find a copy of my letter to him. He will be able to advise you on a further course of action.

Please feel free to contact me if you need any further assistance.

Warm regards.

Sincerely,



Mike Gravel

Enclosure

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

JAY S. HAMMOND, Governor

POUCH D
JUNEAU, ALASKA 99811

October 5, 1978

Mr. H. D. Wilson
1412-C Hyder Street
Anchorage, Alaska 99501

Dear Mr. Wilson:

The Board of Electrical Examiners has confirmed the following dates, times and places:

<u>ACTIVITY:</u>	<u>DATE:</u>	<u>TIME:</u>	<u>PLACE:</u>
Public hearing regarding proposed changes in regulations	11/15/78	9:00 a.m.-Noon	Grand Jury-Room 407 Alaska Court Building 303 K Street Anchorage
Reviews of August exam	11/15/78	1:30 p.m.	YMCA 6th and F Streets Anchorage
Board meeting	11/16/78	8:30 a.m.	YMCA 6th and F Streets Anchorage
Electrical Examination	11/17/78	8:30 a.m.	YMCA 6th and F Streets Anchorage

Testimony from the public, both written and verbal, will be accepted at the public hearing. Written testimony regarding the proposed changes in the regulations should be submitted to the Department of Commerce and Economic Development, Pouch D, Juneau, Alaska 99811, postmarked no later than midnight, November 9, 1978.

The Board of Electrical Examiners will hold a regular meeting for the purpose of conducting its usual business and possible adoption of regulatory changes.

Those who took the examination for the electrical administrators' license in August may review their exam results with the board. Reviews will be taken in alphabetical order.

*Mr. Slade
McCally Juneau*

Mr. H. D. Wilson

-2-

October 5, 1978

Those persons whose applications have been approved and have received notification of approval may sit for the electrical exam. Those who have taken the exam before may retake portions failed, provided they have notified the licensing examiner in advance.

If you have any questions, please feel free to contact this office.

Cordially,

Sharon S. Hammock

Sharon S. Hammock
Licensing Examiner

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

EQUAL EMPLOYMENT OPPORTUNITY OFFICE
DEPARTMENT OF ADMINISTRATION

Pouch CE

X ROOM X JUNEAU 99811
PHONE: 465-3570

May 19, 1977

Mr. H.D. Wilson
1317 Hyder
Anchorage, Alaska 99501

Dear Mr. Wilson:

We are writing to acknowledge that we received a copy of your letter that you sent to Senator Mike Gravel dated May 12, 1977.

We hope to have some report for you by May 26, 1977.

Keep the faith and don't give up!

Sincerely,



Glen Campbell
EEO Director

STATE
of ALASKA

MEMORANDUM

TO: []
Robert Gates
Deputy Commissioner

DATE: May 11, 1978

FROM: Glen Campbell
EEO Director

SUBJECT: H.D. Wilson, Minority Electrical
Contractor

We would like to make you aware of a problem that Mr. H.D. Wilson a minority electrical contractor is encountering in regards to obtaining his license for the State of Alaska (please see attached correspondence).

As indicated, Mr. Wilson requested a waiver of examination due to his qualifications and extensive experience in his field.

Although this matter does not fall within the particular jurisdiction of our office, we are very concerned about it from a humanitarian viewpoint as well as the fact that the present posture of minority electrical contractors within the State of Alaska is extremely low. At present there are only two minority electrical contractors that obtained their license in the State of Alaska, and they did not obtain these licenses through the examination process, but obtained them under the Grandfathers clause. Perhaps the requirements create disparity for minority electrical contractors and this matter should be looked into.

Any assistance that you can offer in regards to this matter would be greatly appreciated.

Thank you,

JAY S. HAMMOND
GOVERNOR



PHONE
907-272-1478

STATE OF ALASKA
OFFICE OF THE GOVERNOR
ANCHORAGE

December 22, 1977

Mr. H. D. Wilson
1317 Hyder
Anchorage, Alaska 99501

Dear Mr. Wilson:

Unfortunately, this is not good news. The Department of Law informs me that there is no legal way that the Governor can grant you a waiver of examination to become an electrical contractor.

We certainly wish we could help in this matter, but just cannot. If you have any other suggestions or ideas on how we might assist, please let us know and we'll take a look.

Sincerely,

A handwritten signature in cursive script that reads "Bill McConkey".

Bill McConkey
Special Assistant
to Governor Hammond

PRESENTATION BY MR. H. D. WILSON

History of my experience with the test.

REQUESTS:

1. Is it possible to take a test that is only in the area of electrical work for an electrical contractor's license?
2. If so, when will the test be given in Anchorage?

RECOMMENDATIONS:

Update all questions on the tests and review them to see if they are job related in my field category.

As an Alaskan with an Alaskan electrical license, I feel that some consideration should be given to me. I am a minority and there are only three other minorities in this field -- to my knowledge. There are so few of us who pass the test. I would recommend that you review your own records and see how many minorities have taken the general construction license test series. Then compare the number of minorities who took the test and passed, to the number of nonminorities who took the test and passed. I believe such a comparison would indicate the need for my final recommendation - A tutoring program must be initiated to assist minorities with general questions which will help us to qualify for the test.

H. D. Wilson

H. D. Wilson

November 15, 1979

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH D

JUNEAU, ALASKA 99811

July 14, 1978

Mr. H. D. Wilson
H. Darren Electric
1412-C Hyder Street
Anchorage, Alaska 99501

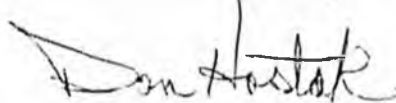
Dear Mr. Wilson:

It has been brought to my attention by other State agencies you are displeased with the Board of Electrical Administrators. I have reviewed your file and find that we have not heard from you since June 30, 1977. You have never stated you would like to retake the examination. Upon passing the electrical examination and board approval of your application, a license would be issued.

The Electrical Administrators Examination is in the process of being rewritten and hopefully, a new exam will be used for the August test. This test will be held August 25, 1978, 8:30 a.m. in the Lumberjack Room of the Hilton Hotel, Juneau, Alaska. If you wish to sit for this examination, you must notify us in writing, as soon as possible.

If you have any questions, or if I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,



Don Hostak
Director

DH/cw5/6

JAY S. HAMMOND, Governor

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

DIVISION OF OCCUPATIONAL LICENSING

POUCH D
JUNEAU, ALASKA 99811

July 14, 1978

Mr. H. D. Wilson
H. Darren Electric
1412-C Hyder Street
Anchorage, Alaska 99501

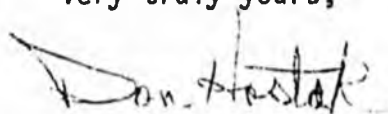
Dear Mr. Wilson:

It has been brought to my attention by other State agencies you are displeased with the Board of Electrical Administrators. I have reviewed your file and find that we have not heard from you since June 30, 1977. You have never stated you would like to retake the examination. Upon passing the electrical examination and board approval of your application, a license would be issued.

The Electrical Administrators Examination is in the process of being rewritten and hopefully, a new exam will be used for the August test. This test will be held August 25, 1978, 8:30 a.m. in the Lumberjack Room of the Hilton Hotel, Juneau, Alaska. If you wish to sit for this examination, you must notify us in writing, as soon as possible.

If you have any questions, or if I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,


Don Hostak
Director

DH/cw5/6

H. Darren Electric
1412 -C Hyder Street
Anchorage, Alaska 99501
August 9, 1978

Mr. Don Hostak, Director
Dept. of Commerce & Economic Dev.
Div. Of Occupational Licensing
Pouch D
Juneau, Alaska 99811

Dear Mr. Hostak:

In regards to your letter of July 14, 1978 I would like to take the Electrical Administrators Examination, but I would prefer taking the exam when it is next held in Anchorage due to the expense of traveling to Juneau.

Please let me know when the next examination will be held in Anchorage, and what I should do to prepare myself for the examination.

Thank you.

Sincerely

A handwritten signature in cursive script that reads "H.D. Wilson". The signature is written in dark ink and is positioned above the typed name.

H.D. Wilson



ombudsman

Frank Flavin

State of Alaska
360 "K" Street, Room 246
Anchorage, Alaska 99501

(907) 276-4011

November 4, 1977

H. D. Wilson
1317 Hyder
Anchorage, Alaska 99501

Re: Ombudsman Complaint 77-1505
(Closed)

Dear Mr. Wilson:

I have researched the matter that you brought to our attention concerning electrical contractors licenses. Unfortunately, there is currently no waiver of examination under Alaska State statutes. The statute allowing this (A.S. 08.40.160) was repealed by the Legislature this year and did not apply to contractors who had had a license in another state, anyway. There is apparently no way for anyone to get a contractors license in this area without taking an examination.

In regard to the possibility of incorporating, it would be at best, a limited solution, as you would have to hire a licensed electrical administrator before your corporation could get an electrical contractors license. Also, you would have to have a licensed electrical administrator on staff at all times in order to retain your contractors license. You can, however, as I understand it, get a general contractors license, but not a specialty contractors license without first hiring someone who has an electrical administrators license.

I hope this answers any questions you may have had. I am sorry that there is not more that we can do, but, our legislative responsibilities do not allow us to go to court nor can we repeal a statute once enacted by the Legislature.

Thank you very much for your patience in this matter.

Sincerely,

Frank Flavin
Ombudsman



*P.O. Box 80846
Fairbanks, AK. 99708
(907) 456-7751*

June 14, 1979

The Honorable Jay S. Hammond
Governor, State Of Alaska
State Capitol
Juneau, Alaska 99811

Dear Sir:

The board of Electrical Examiners, in compliance with Alaska Statute 37.07.050 and 37.07.090, respectfully submits this annual report.

The contents of this report reflect the activities of this board for the past year together with many of our concerns for the future. We believe our activities are responsive to the the public need and we welcome any communication you would care to direct to us.

Very truly yours,

J. Tranmer, Chairman
Board of Electrical Examiners

MEMBERS OF THE BOARD OF ELECTRICAL EXAMINERS

Mr. Hugh Nacaulay
P.O. Box 195
Juneau, Alaska 99801
Area: Southeastern (Juneau)

Mr. Edward Schenderline
540 West Potter Drive
Anchorage, Alaska 99502
Area: Southcentral (Anchorage)

Mr. Jerome Trammer
16 Glacier #18
Fairbanks, Alaska 99701
Area: Northcentral (Fairbanks)

Licensing Examiner
Ms. Nancy Ferguson
Division of Occupational Licensing
Pouch D
Juneau, Alaska 99811

INDEX TO THE
BOARD OF ELECTRICAL EXAMINERS
ANNUAL REPORT FOR 1978

Overview of board activities	Section 1
A Dissertation on Licensing	Section 2
Legislative Proposals	Exhibit A
Summary of Examination results	Exhibit B
Financial Information	Exhibit C

SEC.

1

SECTION 1

BOARD OF ELECTRICAL EXAMINERS ACTIVITY

The safety and well being of the people of this state continue to be paramount in formulating this board's policies and procedures. 1978 saw both an increase in the number of licensed administrators within our state and the number of citizen complaints to both the departments of Commerce and Labor regarding unlicensed activity and improperly installed electrical systems.

Prior to July 1, 1978, the Department of Commerce license violations section had 180 open electrical administrator cases. The department was able to obtain voluntary compliance in 71 of these; 28 more resulted in cease and desist orders, 3 licenses were revoked and 2 misdemeanor convictions were obtained. Twenty-two additional complaints were received after July 1; 11 of these had been processed by the end of the year, resulting in 7 cases of voluntary compliance and the issuance of 4 cease and desist orders.

The board held two public hearings during 1978. These hearings dealt with further sub-dividing the classes of licensure to more properly encompass our growing telecommunications industry and clarifying our administrative regulations. These hearings resulted in the promulgation of new regulations which became effective in 1979 under 12.AAC.32.

In 1977, and again in 1978, the board unsuccessfully sponsored ammenditory legislation designed to increase our awareness of the public need and to provide us with the authority to do the job assigned us by the legislature. Our detailed legislative proposals are attached to this report as "Exhibit A".

The Board of Electrical Examiners met 4 times in 1978. Two meetings were held in Anchorage, 1 in Juneau and 1 in Fairbanks. In addition to the public hearings held at these meetings, the board administered the licensing examination to qualified individuals. A summary of results of these examinations is attached to this report as "Exhibit B".

The operations of the board during 1978 continued to generate a cash surplus. Our income and expense analysis is detailed in "Exhibit C".

SEC.

2

SECTION 2

A DISSERTATION ON LICENSING

"Licensing is a process by which an agency of government grants permission to an individual to engage in a given occupation upon finding that the applicant has attained the minimal degree of competency required to ensure that the public health, safety and welfare will be reasonably well protected".¹

"The purpose of this chapter is to protect the safety of people and property in the state from the danger of improperly installed electrical wiring and equipment, by providing a procedure to assure;

- (1) The public that persons responsible for making electrical installations in this state are qualified; and
- (2) That a sufficient number of persons are so qualified".²

From its inception in 1960 until the mid 1970's, the Board of Electrical Examiners functioned, as did most state regulatory agencies, with only minimal guidance and no clear legislative intent to focus upon. In 1977, using the vehicle of board sponsored legislation submitted through the Governor's office, the Alaska State Legislature passed a number of amendments to AS.08.40.

1. Occupational licensing: Questions a Legislator Should Ask; Shimberg & Roederer, 1978.

2. Alaska Statute AS08,40.005 (Sec.2, Ch. 53, SLA 1977)

Included in these revisions was the statement of legislative intent excerpted above. It is readily apparant that the average citizen of this state is incapable of protecting himself from the hazzards created by improperly installed electrical wiring, because he does not recognize, (by lack of specialized education and experience,) the difference between right and wrong. Everyone knows (but generally ignores,) that electricity can cause fires; that electricity can injure, maim and kill; and that improperly installed wiring is likely to result in loss of comfort, property or worse. How can the average citizen of our state be expected to recognize the difference?

"The purpose of regulation is to project the public, not the economic interest of the occupational group".³

The electrical contracting industry in our state is divided (along traditional lines,) into two major groups; Union and Non-Union with a fairly high percentage of "Independant" contractors operating alone. There is no single cohesive force (except the State Regulatory Agency) that is capable of drawing the diverse factions of the industry together to where self regulation would become a viable alternative to our present system.

³Occupational licensing: Questions a Legislator Should Ask; Shimberg & Roederer, 1978.

It is the continuing objective of this board to assure the public that an adequate number of qualified practitioners are available to make safe electrical installations within the basic nature of the competitive process. To this end, we have formulated the following goals:

- (1) To continue to refine our professional and vocational regulations so that;
 - a. All requirements and evaluation procedures for entry into this occupation are clearly defined.
 - b. All complaints are investigated and resolved in a manner which is satisfactory and credible to the public.
 - c. All disciplinary proceedings against licensees are conducted in a fair and expeditious manner.
 - d. All applicants and licensees are treated equitably, fairly and equally.
 - e. All persons coming into contact with this board are guaranteed due process.

- (2) To continue to offer proposals to our state legislature in order to;
 - a. Further define the legislative intent of our statute
 - b. Provide the board with the authorities necessary to accomplish its responsibilities.
 - c. Coordinate and consolidate the various existing statutes regulating our industry into a cohesive, intelligible unit.

Exhibit

A

EXHIBIT "A"

- * Section 1.AS 08.40.010 is ammended to read:

Sec 08.40.010. Creation and membership of the board. There is hereby created a board of Electrical Examiners consisting of three members who are licensed electrical administrators and two members drawn from the public at large.

Rationale: Since regulation affects the vital interests of consumers, it is incumbent upon the legislature to develop a forum upon which public views can be heard.

- * Section 2.AS 08.40.030 is ammended to read:

Sec 08.40.030 Chairman of the board. The board shall elect one of its members as chairman. The chairman shall be a licensed electrical administrator.

Rationale: The Board rejects the philosophy that only members of our occupational group are qualified to make judgements about entrance standards, examination content, or disciplinary matters. We do feel, however, that the technical nature of our industry requires the presence of a knowledgeable, technically qualified chair person to represent the Board on a day to day basis.

- * Section 3.AS 08.40.040 is ammended to read:

Sec 08.40.040 Board meetings. The Board shall hold a regular quarterly (annual) meeting. The Board may hold special meetings at the call of the

Chairman with prior approval of the Governor. Three (two) members constitute a quorum.

Rationale: The board regularly holds 4 meetings a year as this is the minimum necessary to satisfy the public need. The quorum limitation must be increased to accommodate the public members requested in Section 1, above.

* Section 4.AS 08.40.090

Sec 08.40.090 License required (A) No person may act as an electrical administrator in the state without a license issued by the board.

1. No person may submit a bid or offer to perform electrical work in the state without a license issued by the board.

(B) A person licensed under this chapter may perform or offer to perform electrical work only in a category for which he is licensed.

Rationale: A person who responds to an invitation for bids is purporting to be engaged in the business of electrical contracting unless, as an unlicensed practitioner, he acknowledges his inability to perform the work until he is licensed. Without this contingency, an offer made or contract entered into is, in effect, an agreement to commit a crime and is in violation of the public policy of the state.

* Section 5.AS 08.40.120 is amended to read:

Sec 08.40.120 Examination of applicant. Each applicant shall be examined to determine his knowledge of electrical installations and wiring, familiarity with the regulations contained in the National Electrical Code and the National Electrical Safety Code, as (approved by the American National Standards Association) adopted and amended by title 18,

article 6 of the Alaska Health and Safety Code, other appropriate
installation and safety regulations (approved by the American Standards Assoc.),
and his personal skill and ability.

Rationale: The legislature of the state of Alaska enacts statutory regulations dealing with occupational health and safety. These statutes are not approved by the American Standards Association and as a consequence of the wording of this section, applicants can not be examined on their content. (Yet) knowledge of these (and other similar) requirements will directly affect the quality and safety of contractor's work.

* Section 6. AS 08.40.135 is ammended to read:

Sec 08.40.135 Renewal and Reinstatement.

- (a) A license issued under this chapter, unless revoked or suspended, is non-transferrable and may be renewed biennially on a date set by the department without examination, upon submission of adequate proof of activity to the board and by appropriate application.
- (b) A lapsed license may be reinstated by payment of all unpaid renewal fees and a penalty fee \$25.00 for each year the license has been lapsed, unless the license has been lapsed for more than two (three) years (and the Board has reason to believe that it may be necessary to require) in which case the licensee will be required to take and pass the examination given under section 120 of this chapter.
- (c) A licensee who fails to submit adequate proof of activity to the board for more than two consecutive years will be required to take and pass the examination given under section 120 of this chapter to renew his license.

Rationale: At present most inactive practitioners can preserve their right to practice by simply paying the renewal fee. By keeping their licenses in force, they are able to resume practice at any time even though they may have failed to retain their competence.

* Section 7. AS 08.40.165 Is enacted to read:

Sec 08.40.165 Licensure by endorsement. An applicant who is a licensed electrical administrator in another state may apply for licensure without examination upon providing proof satisfactory to the board that;

(A) he is currently actively engaged in the electrical contracting industry and,

(B) The standards of entry in his state of licensure are at least equal to those of this state.

Rationale: In order to encourage the competitive process, it is necessary to provide out of state applicants with fair and reasonable access to our credentialing procedures.

* Section 8. AS 08.40.170 is amended by enacting sub-section (a)(4) to read:

Sec 08.40.170 Denial, Suspension, and revocation of license.

(a) (4), The licensee has knowingly permitted electrical work to be accomplished in this state under the guise of his license and without his supervision.

Rationale: The accomplishment of electrical work by an unlicensed person is a crime against the state. Persons who deliberately allow other unlicensed persons to accomplish electrical work under the fraudulent "umbrella" of licensed activity are themselves guilty of violating this statute.

* Section 9. AS 08.400.200 (5)(B) is amended to read:

Sec 9 AS 08.40.200 (5)(B) Definitions. Furnishing (telecommunications) telephone or telegraph service to the public for compenstation.

Rationale: When this definition was added to the statute in 1977, the intent of both the Board and the Legislature was to exclude the activities of Public Service corporations (ie: Municipal Utilities, long lines carriers, etc.,) from the requirements of this chapter. Unfortunately, the wording

we jointly selected has resulted in considerable controversy and needs to be clarified.

* Section 10.AS 08.40.200 is amended by enacting sub-section 6 to read:

Sec 08.40.200 (6) Definitions "repair" means the performance or accomplishment of work, of a routine recurring nature or otherwise, on an integral electrical circuit component which is or is capable of being energized, when such work involves the removal, replacement, disconnection or reconnection of that integral component.

Rationale: There has been a great deal of controversy over the last several years revolving around the legislative intent of the word "repair". Only by adding a firm definition for this word can we hope to achieve uniform comprehension and enforcement of this statute.

* Section 11.AS 18.60.580 is repealed and re-enacted to read:

Sec 18.60.580. Minimum electrical standards. The latest published editions of the National Electrical Code and the National Electrical Safety Code, both as approved by the American National Standards Institute constitute the minimum Electrical Safety standards of the state.

Rationale: It is both ridiculous and expensive for the legislature to have to review this act every two to three years to change a date so that we may once again be in tune with the rest of the U.S.A.

* Section 12.AS 18.60.590 is amended to read:

Sec 12.AS 18.60.590 State, Borough and City electrical codes

Sec 12. AS 18.60.590 Electrical Codes

- (A) The (department) Board of Electrical Examiners may be regulation adopt ammendments to the (1971) National Electrical Code and/or the National Electrical Safety Code (as approved and issued by the American Standards Association) provided such ammendments result in standards no less stringent than those prescribed by section 580 of this chapter.
- (B) This chapter does not affect the authority of any organized borough, municipality or rural electrification association to prescribe by ordinance, rule or order, standards for their respective areas of jurisdiction no less stringent than the standards prescribed by the (department) Board or those established by section 580 of this chapter.

Rationale: The Department of Labor employes electrical inspectors, not administrators. The technical expertise necessary to formulate ammendments to the National Standards more properly sites with the Board. Additionally, as this statute is now worded, no one can ammend the National Electrical Safety-Code regardless of the rationale behind such an ammendment. Please see attachment 1 to the exhibit for an example of why the Board needs this authority.

* Section 13.AS 18.60.600 is repealed and re-enacted to read:

Sec 18.60.600 Powers and duties of the Board and the Department;

(A) The Board may:

1. Promulgate regulations to carry out the purposes of section 580-610 or this chapter.
2. Inspect, or cause to be inspected, the electrical wiring of any place of employment or public structure in the state.

(B) The department shall:

1. Promulgate regulations to carry out the purposes of section 620-660 of this chapter.
2. Keep a record of all inspection fees collected.
3. Keep a record of all electrical inspections conducted.

Rationale: This revision is necessary to accomodate the other contemplated changes to this chapter.

* Section 14.AS 18.60.610 is amended to read:

Sec 18.60.610 Delegation of Authority. Upon application to and approval of the Board (department), a person, corporation, electric utility firm, public utility district, Rural Electrification Association, or Municipal-Utility District furnishing electrical current may be authorized (by the commissioner) to inspect the electrical wiring for a public or commercial structure as defined in section 660 of this chapter to which it is to furnish electrical current before energizing the electrical system on, in, or about the premises. Authorization by the Board (commissioner) under this section constitutes a grant of full authority to act within the provisions of sections 580-660 of this chapter with the same immunities and privileges accorded to the state in the performance of these duties. A person or entity whose electrical wiring installation is found, by the authorized inspector, not to meet the standards prescribed, has the right to appeal to the Board (commissioner) for a new inspection. The Board (commissioner) shall, within 15 days, furnish a new inspection by a designee not associated with the person, firm, or utility who did the original inspection.

Rationale: The board has the authority (Granted by AS.08.40.070) to conduct inspections but lacks the tool to implement it. Additionally, the technical direction required by the State Electrical Inspectors must come from the Board as the department has no source of expertise other than the inspectors themselves.

* Section 15.AS 18.60.640 is amended to read:

Sec 18.60.640 Scope of work covered;

(A) Sections 580-660 of this chapter apply to (cover only) new installations and alterations to existing installations.

(B) These standards are the required
(recommended) minimum standards
for all new structures in the state.

Rationale: The wording changes are necessary to bring this section into agreement with other sections of this chapter.

* Section 16.AS 18.60.660 (4) is ammended to read:

Sec 18.60.660 Definitions in sections 580-660 of this chapter. (4)

"Public Structures" means buildings such as hotels, resident housing, except homes owned by the installer and not intended for sale at the time of making the installation, (with more than one rental unit) restaurants, taverns, lodging houses, children's homes, auditoriums, town halls, or any structure designed or used for public assembly whether publicly or privately owned or financed.

Rationale: This change would allow for inspection of residential occupancies built by contractors and any other dwelling unit intended for rental occupancy regardless of the number of units involved. This authority is required to allow us to comply with the intent of AS 08.40 which again, is to protect the public.

* Section 17. AS 18.60.660 is ammended by enacting sub-section 5 to read:

Sec 18.60.660(5) "Board" means the board of Electrical Examiners as created by Alaska Statute AS 08.40.

Rationale: The necessity for this revision is self evident.

* Section 18.AS 18.62.010 is ammended to read:

Sec 18.62.010 Certificate of fitness required. In connection with work performed subject to the standards established in (AS 18.60.580 and) AS 18.60.705, no person may be employed without a certificate of fitness to perform work.

Rationale: The board considers the certificate of fitness program to be an abrogation of an individual's constitutional right to work at his trade. Additionally, there is absolutely no need for two licensing programs within the same occupation. If the contractor is licensed and responsible for the work accomplished under his license, why then regulate the workman? "There is little justification for licensure if practitioners work under supervision. If regulation is needed, it should be the supervisor who is regulated".¹

Cost Impact:

The net result of the foregoing legislative package would be a cost increase of approximately \$2,500.00 a year to support the two new board members and a cost decrease of untold magnetude in the reduction of administrative costs pertinent to the certificate of fitness program. The machinery for supporting the balance of this legislative package already exists and would neither expand nor contract as a result of these changes.

1. Occupational licensing: questions a legislator should ask, Page 15; Shimberg & Roederer, 1978.

ATTACHMENT I

EXHIBIT A

BOARD OF ELECTRICAL EXAMINERS

1978 ANNUAL REPORT

STATE OF ALASKA

DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

JAY S. HAMMOND, GOVERNOR

INTERNATIONAL BLDG. ANNEX, SUITE 100
650 W. INTERNATIONAL AIRPORT ROAD
ANCHORAGE, ALASKA 99502

6 April, 1979

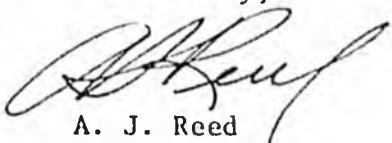
Board of Electrical Examiners
Pouch D
Juneau, Alaska 99811
ATTN: Nancy Ferguson

Gentlemen:

Please place us on your agenda for the next Board meeting. We would like to discuss with you experimental single high voltage lines with ground return. Mr. Dwane L. Legg, P. E., of Retherford Associates is requesting from this Department an exception to the National Electrical Safety Code and your opinion regarding the safety of such an operation would be appreciated. It concerns Article 305 (2e) of the National Electrical Code and Article 215 (B4) of the National Electrical Safety Code.

More detailed information will be provided at the time of the meeting.

Yours truly,



A. J. Reed
C. E. I

RECEIVED
MAY 11 1979



ROBERT W. RETHERFORD ASSOCIATES

CONSULTING ENGINEERS

TELEPHONE 344-2585
P. O. BOX 6410
ANCHORAGE, ALASKA 99502
TELEX: 626-380

May 15, 1979

000-900

Mr. Jerome Trammer
16 Glacier #18
Fairbanks, Alaska 99701

Dear Mr. Trammer:

Representatives from the firm of Robert W. Retherford Associates are scheduled to meet with the State Electrical Board in Anchorage on the 23rd of May, 1979, to present information pertaining to the use of Single Wire Ground Return (SWGR) Systems in Alaska.

Enclosed is a general information brief related to SWGR Systems which may be reviewed for familiarization with the single wire ground return concept.

Sincerely,

ROBERT W. RETHERFORD ASSOCIATES

Frank J. Bettine

Frank J. Bettine
Staff Engineer

FB:smd/n

SUBJECT: SINGLE WIRE GROUND RETURN SYSTEMS

PURPOSE: Waiver of Article 215-B4, National Electric Safety Code, which prohibits the use of the earth as a return conductor.

DISCUSSION:

A single wire ground return system (SWGR) can best be described as single-phase, single wire transmission system using the earth as a return circuit. SWGR is not a new technology as thousands of miles of line have been in successful operation for more than thirty years - mostly outside the United States i.e., India, New Zealand, Australia, Canada and in areas of the USA during W.W. II.

The SWGR lines suggested here are point-to-point connections with a carefully established grounding system at each end point. (See Figure 1) The design of these end point grounding systems would comply with presently accepted standards for limiting potential ground gradients and would be similar in design to a grounding system found in today's high voltage substation. The substation established at each end would then connect to the conventional multi-grounded distribution system as commonly used today throughout Alaska and the other 49 states. It is believed that the applications proposed here would in no way create any operating system with lesser safety than those now acceptable.

The later editions of the National Electric Safety Code (NESC) does not, however, allow the use of the earth as a return conductor (Part 2, Safety Rules for the Installation and Maintenance of Overhead Electric Supply and Communication Lines, Article 215-B4). The Fifth (effective to 1961) and prior addition of the NESC did, however, allow for use of the earth as a normal return path of an electric circuit in rural areas. Therefore, an exception or waiver to the present restriction in the NESC would be required to implement a SWGR system in Alaska.

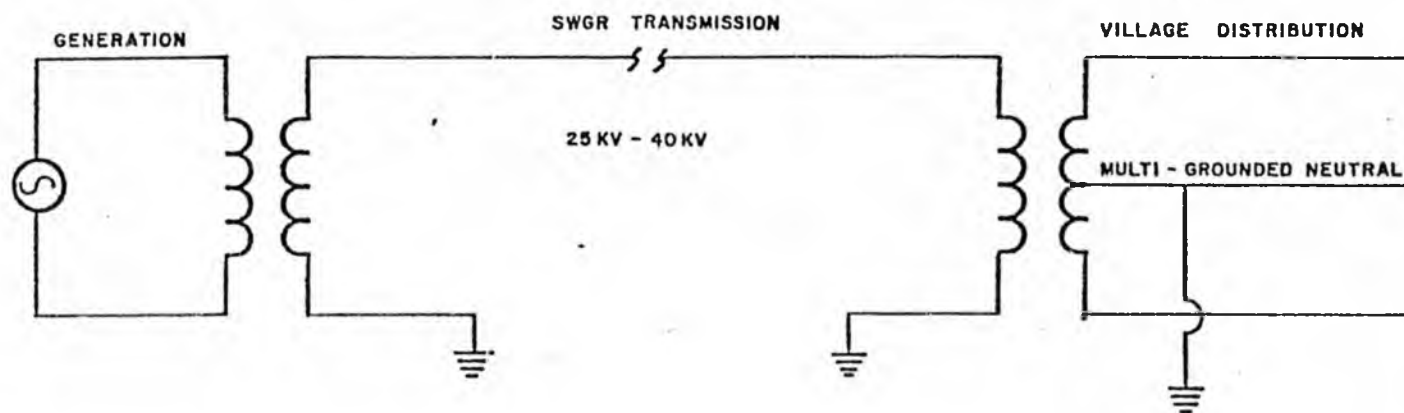


FIGURE 1

SIMPLIFIED SWGR TRANSMISSION SYSTEM

A presently envisioned SWGR systems would be used to connect several small outlying villages within a given geographical area to a centrally located, larger, more efficient, generation facility thereby eliminating the need for each small village to operate their own generating facility. (Figure 2)

Interconnection of these outlying villages to serve present loads by conventional three phase transmission system would be prohibitively expensive. Typical cost in the Anchorage area is approximately \$60,000 per mile for conventional 25 kV three phase overhead construction. It is estimated that the cost of a 25 kV to 40 kV SWGR system using the design method as outlined in the attached appendix would be approximately 1/3 the cost of conventional three phase construction. Table 1 compares the relative bus-bar cost per kWh for three alternatives defined below.¹ (Cost of village plant assumed as one.) For the three alternatives listed the economic advantage is in favor of the SWGR system.

1. Village power plant system - power plant at each village.
2. Transmission interconnecting using conventional 3Ø - 4 wire lines to interconnect villages to a central plant.
3. A transmission interconnection using a SWGR system to interconnect villages to a central plant.

TABLE 1 RELATIVE BUS-BAR COST PER kWh

<u>Alternate</u>	
Village Plants	1.0
3Ø Line	0.88
SWGR Line	0.64

¹ A Regional Electric Power System for the Lower Kuskokwim Vicinity, Alaska Power Administration, July 1975.

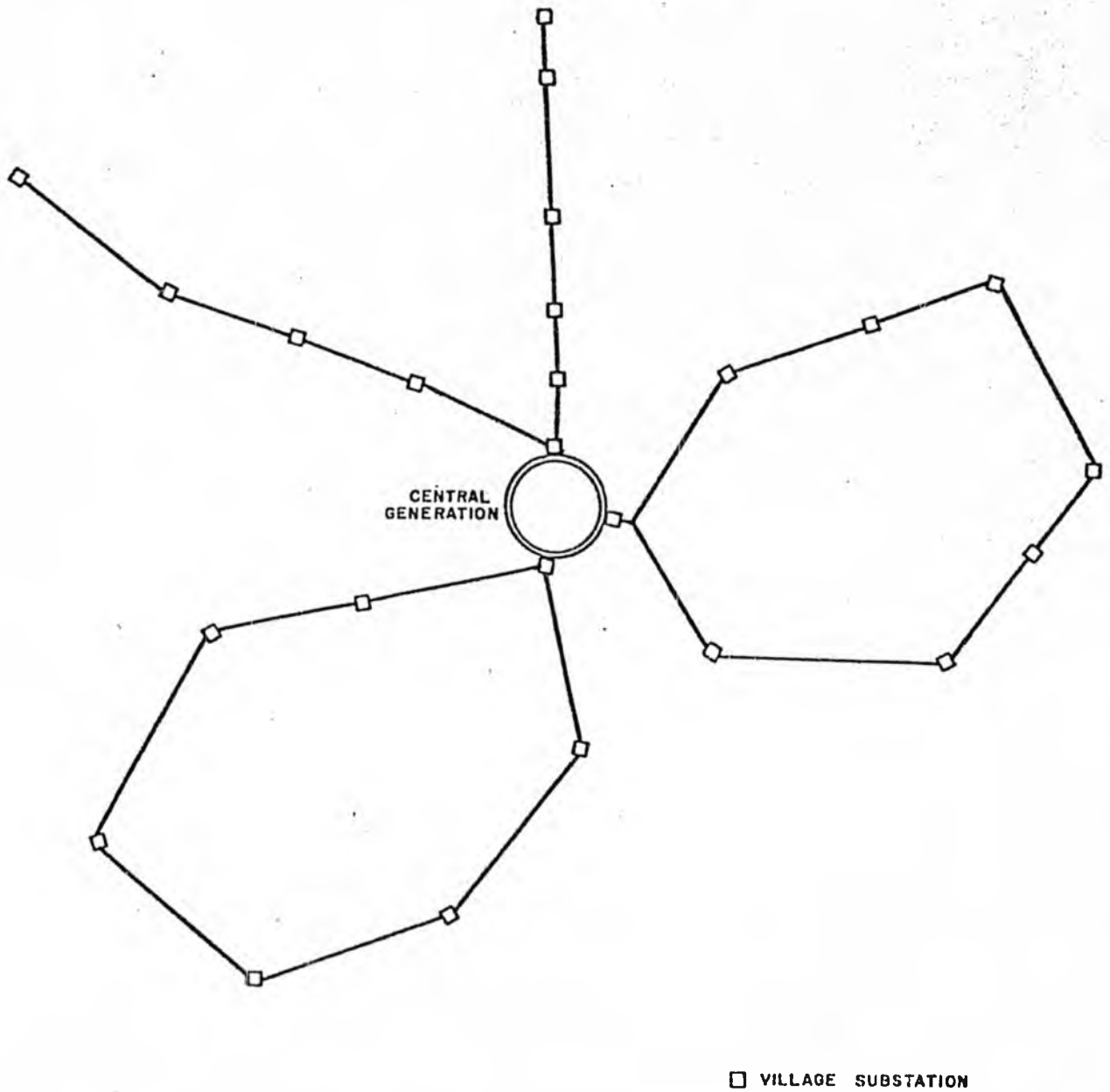


FIGURE 2

TYPICAL SWGR SYSTEM SUPPLY FOR RURAL ELECTRIFICATION

ADVANTAGES OF SWGR

1. The major advantage of a SWGR system is economics. It is much less costly to provide service using a SWGR system than using conventional three phase transmission.
2. The SWGR system proposed for village interconnections can be constructed by the villagers themselves with lightweight equipment and minimum "outside" assistance. This fact provides the opportunity for villagers to return to their communities a substantial share of the construction investment in wages earned locally.
3. Although not previously discussed a SWGR system operating at a line to ground voltage equal to the phase-to-phase voltage of a conventional three phase line will have approximately the same load carrying capability of the three phase line for a given voltage drop. This is the direct result of the low resistance earth return path.

Limitations:

SWGR is generally most suitable for serving low load density rural areas, where little if any problems will be encountered in using the earth as a return conductor.

As the load density increases above a certain level the cost advantage of a SWGR system is lost and conventional three phase transmission will again become the only practical solution.

EXHIBIT

B

EXHIBIT "B"

BOARD OF ELECTRICAL EXAMINERS
1978 Annual report

February 17, 1978:

	<u>Inside W.</u>	<u>Inside C.</u>	<u>Res. W.</u>	<u>Outside LW</u>	<u>Outside C.</u>	<u>No Shows</u>
Pass	7	3	4	0	1	
Fail	18	1	9	0	2	
	<u>25</u>	<u>4</u>	<u>13</u>	<u>0</u>	<u>3</u>	<u>14</u>

May 12, 1978:

	<u>Inside W.</u>	<u>Inside C.</u>	<u>Res. W.</u>	<u>Outside LW</u>	<u>Outside C.</u>	<u>No Shows</u>
Pass	7	2	1	2	0	
Fail	40	6	18	2	2	
	<u>47</u>	<u>8</u>	<u>19</u>	<u>4</u>	<u>2</u>	<u>14</u>

August 25, 1978:

	<u>Inside W.</u>	<u>Inside C.</u>	<u>Res. W.</u>	<u>Outside LW</u>	<u>Outside C.</u>	<u>No Shows</u>
Pass	3	0	2	0	1	
Fail	22	2	12	3	1	
	<u>25</u>	<u>2</u>	<u>14</u>	<u>3</u>	<u>2</u>	<u>20</u>

November 17, 1978:

	<u>Inside W.</u>	<u>Inside C.</u>	<u>Res. W.</u>	<u>Outside LW</u>	<u>Outside C.</u>	<u>No Shows</u>
Pass	14	4	5	0	0	
Fail	25	2	13	2	5	
	<u>39</u>	<u>6</u>	<u>18</u>	<u>2</u>	<u>5</u>	<u>12</u>

EXHIBIT
C

EXHIBIT "C"
 BOARD OF ELECTRICAL EXAMINERS
 1978 Annual Report

G. Board Revenues and Expenditures

	<u>FY '76</u>	<u>FY '77</u>	FY '78
Receipts	\$8,357.00	\$28,759.00	\$15,912.14
Refunds	<u>500.00</u>	<u>400.00</u>	<u>475.00</u>
TOTAL	7,857.00	28,359.00	15,437.14

Expenditures

Transportation	\$1,053.40	1,884.37	2,232.23
Per Diem	823.44	2,793.28	2,412.75
Phone	128.71	312.50	712.90
Printing, advert. & Postage	193.14	2,202.07	1,217.32
Fees & Services	446.80	362.85	-----
Rents, Leases & other	-----	340.25	91.22
TOTAL	<u>2,645.49</u>	<u>7,895.32</u>	<u>6,666.42</u>
Surplus	\$5,211.51	20,463.68	8,970.72

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH D
JUNEAU, ALASKA 99811

November 13, 1979

Honorable Brad Bradley
Chairman
Senate Commerce Committee
P.O. Drawer 8-Q
Anchorage, Alaska 99501

Dear Senator Bradley:

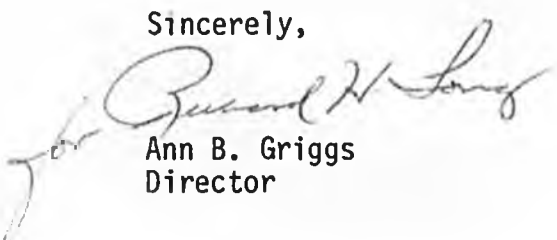
During the Sunset hearings held by your committee November 7, 1979, a Mr. Robert Melon testified. His testimony included complaints about substandard electrical wiring in a home in Bettles, and state housing containing shabby wiring and construction, also in Bettles.

In the first case, Mr. Melon reported to the Department of Labor and was advised that permission to check on it would be necessary from the owner because it was not a commercial building. The owner gave the necessary permission, Mr. Reid checked the wiring, verified it was substandard but was never able to identify who did the wiring. The complaint was not reported to the Division of Occupational Licensing.

The second instance cited by Mr. Melon appears to be state housing units, also in Bettles. This office has not received a complaint. At this time, we are not able to determine if the Department of Labor or any other department has received a complaint or is investigating. If this is unlicensed activity or a violation by a licensee, we will, upon learning details, investigate.

Please contact me if you have any questions or comments.

Sincerely,


Ann B. Griggs
Director

ABG/cw2N



First Problem - refer to dept of Occ Lic Book (Yellow) Section F pg 27 -- 29

Both the Dept of Commerce & Dept of Labor have responsibility of enforcement for the Board of Electrical Examiners.

Second Problem - re: pg 5 Leg Aud Rep (Blue) #(2)

Not only has OL not maintained files and stats but there is also a problem that has tended to discriminate against Alaskan workers: Dept of Labor has enforced the requirement for a fitness certificate only among union people through the hiring halls - the scabs that are brought in up north are not checked for certificates....

FINDINGS & RECOMMENDATIONS OF LEGIS. AUDIT:

#1 - The committee does not agree that the board should be terminated

There is validity in the use of the administrator to assure a safe installation of electrical work.

#2 The licensing of communication electricians.

I believe that we should agree with legis. audit on this one... unless there is considerable change in the experience and testing requirements so that they are applicable to the fields in which the "electrician" is working. there is a great deal of absurdity in requiring a DP type to have 4000 hours of telephone installation experience.

I think that this is one place where the marketplace will do a better job of checking credentials than this board would be capable of.... (does this sound like a libertine?)

#3 enforce existing laws/in a uniform manner....
for issueing licenses

YES There is a strong indication that the practices have in fact been discriminatory. They should be strongly advised to standardize requirements for taking the exam & to grade the exams in a consistent manner.

(Recommendation #5: reciprocity & Rec. #4 also deal with this area)

(SEE APPENDIX A "FOLLOW UP REVIEW" for proposed legislation)

I believe that we should agree with findings #3,4 &5.

Rec. #6 Continuing competency standards.

The board has proposed legislation (see appendix A of "follow up review") that would require submission of proof of activity to the board to renew license. This may or may not assure continuing competency - but probably will.

Rec #7 - They recommend a public member. The Board agrees with this.
(as a side note: The Senate is adding public members to ALL boards!)
I think it's a good idea.



#8 & 9 The dept of Occ Lic is now doing what the leg aud recommended...

further:

Rick Halford & Hugh Malone both feel that the language in the statute should be strong in requiring the Board to BE FAIR in administering and grading tests and issuing licenses. This would give an applicant that felt wronged a clear ground for appeal. I think you are better equipped to come up with wording to effect this.

Malone also felt that we might consider putting into statute the following:

a requirement that the licensed administrator "sign off" on each job upon completion certifying that it's kosher.

a requirement that the licensed administrator be required to assure that those working under him have the required certificate of fitness. The dept of Lab. hasn't been able to do this ... maybe a little local enforcement at risk of a license would be more effective.

Increase the number of Electrical Inspectors (presently 2) to 5 (and maybe decrease the number of pressure vessel inspectors from 5 to 2 - that's my comment not malones)

Hugh Malone also felt that because of the requirements of the financial institutions and the new state loan programs that we should ask the organized communities to submit some sort of plan for fire and electrical inspection to the next legislature as a condition for revenue sharing in fire protection.... A good idea in the long run that will enable the rural loan programs to go into the RURAL areas. Lack of inspection is a problem in financing rural homes.

Last but not least - WE SHOULD REQUIRE THE STATE TO ABIDE BY THE SAME LAWS AS THE PRIVATE SECTOR (see attached memo from Av. Gross)

ADDITION: The definition of "Repair" offered in their proposed legislation is unacceptable - far too broad.

11/07/79

Electrical Examiners

Sunset Hearings

Testimonies from witnesses

Aleen I. Hudson

Examination Applicant at D.O.C w/ slow inefficient service

Michael Finn

A) 0 membership from 3 to 5

1) from large union

2) " small non-union

3) " public

4) " private company

B) 2 year term with 1 re-appointed possible

C) Annual report from Board to Legislature.

D) Testing Procedures ① Consistent exams

② Board submit exam to D.O.C for administration.

③ Tests by number

grading / standard answer sheet approved by all board members.

Robert Mellon Denale Electric Company (Fbx)

Poor wiring in homes - sub standard

New homes. Contacted Toney Reed but received no satisfaction.

Toney Reed → Electrical Examiners from State [only one in state of AK]

State Bid →

Project

80-42

Dept. of Adm.

Div. of General Services & Supplies.

in Bethel

Employee Housing

National Electrical Code → test

↳ Minimum Standards / Can exceed them.

JNU

Hugh McCauley (Board Member)

Dom Huston Editor & Publisher of
"Build Alaska" Magazine.

A) Boards need to

B) O.L. should license

D.O.C. responsible for enforcement

FBX

John Teeter Power
Safety
Keep Board

L. H. Slay Jr. [Excellent Witness]
Expert in Electricity.

Teeth into the law!

Harry Wilson / Electrical Contractor.
"Darron Electric"

Minority Contractors & Reciprocity.
See Rec. # 5 / of Audit Report.

08.140
Waverly of Examinator

Electrical Board →

Susan Birke →
Booklet →

Tom Catchin - Int Brotherhood of Electrical
Workers Local.

- Suggest Board
- Safety
- More \$ for investigation

(FBX)

Duszynski → Int. At Bldg Dwelling
Inspection Council.

Private non-profit started 1977
in FBX area.

Wiring of Trooper Housing in Delta
Junction & Cantwell.

Robert Mellon - cond.

1/29/80 Board of Electrical Examiners
Sunset Hearings

Senator Fungwon stated he is in favor of retaining the Board. Followed by Tim Kelley's comments "I'm in favor of retaining the board so you (witnesses) don't have to sell me."

→ Yellow book prepared by the Dept. of Commerce --- has some statutory changes that this committee could help in becoming law.

The use of sunset legislation should and will not allow the board to be used as a hostage for the liberalization of professional standards.

Title 18 sets the minimum electrical standard in ~~the~~ ^{AK.} State inspector is not allowed to enter a home for the purpose of inspection unless the owner gives permission.

Arles also has stated that she wants the board continued.



Official Business

Alaska State Legislature

Senate

Committee on Commerce

March 13, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

The Honorable Clem Tillion
President of the Senate
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. President:

Your Senate Commerce Committee has had under consideration for "Sunset" review the Board of Electrical Examiners pursuant to your referral under AS 44.66.050 and AS 08.03.010.

In accordance with the statutory requirements, a public hearing was held on the review of this board, at which written and oral testimony was received. Members of the board testified in person or by teleconference. The Committee considered the proposed budget of the board for FY 1981 and particularly examined the performance audit of the activities of the board conducted by the Division of Legislative Audit.

Guided, in part, by this performance review the Committee took into consideration the factors required to be considered under AS 44.66.050(c).

Your Commerce Committee thereby makes the following findings: The Committee concurs in some and disagrees with others of the nine findings and recommendations as they appear on pages 9 through 14 of the Performance Review of the Board of Electrical Examiners dated May 2, 1979 which is hereby incorporated by reference as though fully set out herein. While we agree with many of the criticisms of the ongoing functioning of the present Board of Electrical Examiners, we do not concur with the auditor that the Board of Electrical Examiners should be allowed to terminate.

However, having concluded that the Board of Electrical Examiners should not be terminated and that it should continue to license electrical administrators, the Committee has found that it is necessary to provide the board with a short extension and continuing audit monitoring, because it has not been responsive enough to criticisms by the Division of Legislative Audit, particularly even after a period of many months following the original audit report, as can be seen from the follow-up report of February 6, 1980.

For instance, in following up its recommendation number three, relating to a requirement for more uniformity and consistency in the enforcement of current laws by the board, the Legislative Auditor found that even since August, 1979, six of the seventeen electrical administrators who were licensed did not have a certificate of fitness required by present regulations. Also, in following up its recommendation number four regarding the establishment of uniform procedures for examinations, the auditor found some improvement on the conduct of the examination, but found that grading the examination still has the incredible inconsistencies noted in the original audit report.

For instance, as to this last recommendation, the February 6, 1980 report from the auditor notes that "some applicants are passed and others are failed, even though the same questions are missed." (Page two.)

Additionally, while the auditor notes that the problems on review and regrading examinations have been partially corrected, the reasons for changing a grade are still not stated, nor are there indications of follow-up to determine impact on all examinees. The auditor notes that this is directly in violation of a new regulation promulgated by the board on May 25, 1979. Other audit recommendations are yet to be discussed, but it can already be seen that the board has a long way to go to correct the problems originally indicated in the audit.

For these reasons, the Committee is of the view that the Board of Electrical Examiners should be extended for only another two years, rather than the usual four years anticipated by the Sunset legislation, and that the Legislative Budget and Audit Committee should be asked to request the Division of Legislative Audit to perform a more thorough follow-up review of the Board of Electrical Examiners for the intervening year before full Sunset review again occurs in 1982.

Other recommendations urged certain statutory changes (recommendation number two, five, six, and seven).

Briefly, the Committee wishes to address some of these statutory recommendations, but cautiously.

The auditors recommended (number two) that legislation exempt "communications electricians" from the electrical administrator's statutes. The board disagreed, and provided some graphic examples of life-threatening occurrences in the installation of home communications equipment (particularly MDS and cable television services). However, the Committee finds that it is very difficult to easily delineate what areas ought and ought not to be exempted, although some justification for exemption in certain areas seems appropriate.

To the extent possible, the Committee will attempt to provide language in its proposed legislation that will exempt some "communications electricians" from the requirements of the chapter, but which still can address some of the concerns of the board in this area. This will not be easy.

The Committee accepts part of the auditor's recommendation number five which urges statutory changes to allow licensure by endorsement or reciprocity. However, the Committee will attempt to include in its legislation provisions that may still allow the board to require examination of an outside electrical contractor who is fully qualified in his state, but only as to those areas of knowledge and skill required for work in the unique Alaskan environment and that specially relate to the usages of the trade in Alaska.


Pursuant to recommendation number six, the Committee will include in its legislation provisions requiring the board to establish continuing competency requirements for electrical administrators, which may be met by proof of attendance at relevant functions of the applicable trade association, approved on a case by case basis by the board. The board has agreed with recommendation number seven, to add public members to the board, and has suggested legislation along those lines: Such provisions will be included in the Committee's legislation.

The Committee feels it has adequately addressed the recommendations and categories required under AS 44.66.050(d), and recommends that with the changes stated in this report the Board of Electrical Examiners be continued for another two years, that is, that the repealer with regard to the activities of the board be amended to read June 30, 1982, and that an interim one-year performance audit of the board be requested of the Legislative Audit Division through the Legislative Budget and Audit Committee, so that the Legislature can monitor the response of this board to the problems raised in this report.

The Honorable Clem Tillion
March 13, 1980
Page 4

A bill will be introduced by the Commerce Committee
facilitating the changes and recommendations in this report.

Respectfully submitted,


Senator Brad Bradley
Chairman
Senate Commerce Committee

BB/bm